

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WALTER OMAR RIVAS-MOLINA,

Defendant.

8:19CR365

ORDER

This matter came before the Court on Defendant's Motion to Review Detention [18]. Russ Mayer appeared on behalf the government. Mary Gryva appeared on behalf of Defendant. Defendant was present. The Court took judicial notice, without objection of the Indictment [1], Pretrial Services Report [6], Submission of the Determination of Detention or Release and Order [15], Order of Detention Pending Trial [16], and Pretrial Services Report [22]. Defendant asserts that information exists that was not known at the time of the Court's detention determination having a material bearing on the issue as to whether there are conditions of release that will reasonably assure his appearance as required and the safety of any other person and the community. See 18 U.S.C. §3142(f). The government moves for detention on the basis of both flight risk and danger. After both parties were afforded an opportunity to present evidence and make argument, the matter was continued on the Court's motion as the government asserted that Defendant is not a United States citizen nor lawfully admitted for permanent residence. Thus, the government shall have the opportunity to notify the proper immigration officials. If Defendant is not taken into custody by immigration officials, this matter will proceed as any other under the provisions of the Bail Reform Act. See 18 U.S.C. §3142(d).

Dated this 3rd day of February, 2020.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge